GOVERNMENT OF INDIA
HUMAN RESOURCE DEVELOPMENT
LOK SABHA

UNSTARRED QUESTION NO:1808
ANSWERED ON:22.08.2012
FEE REGULATION BILL
Kataria Shri Lal Chand

Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether the Government proposes to introduce Fee Regulation Bill;

(b) if so, the details thereof;

(c) whether any school or college would be free to fix the fee under the said Bill;

(d) if so, whether after introduction of this Bill such schools or colleges are bound to publish all information on their respective web sites related to their institutes; and

(e) if so, the action proposed to be taken against the institutes which would not comply the said directions?

Answer

MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (Dr. D. PURANDESWARI)

(a) to (e) No such bill is formulated by the Ministry. However, the Government has introduced the 'Prohibition of Unfair Practices in Technical Educational Institutions, Medical Educational Institutions and Universities Bill, 2010 in Parliament. The Bill seeks to prohibit certain unfair practices in the higher education sector. It inter-alia provides that every institution shall publish, before expiry of sixty days prior the date of the commencement of admission to any of its courses or programmes of study, a prospectus containing certain information including the following:

(i) Each component of the fee, deposits and other charges payable by the students admitted to such institution for pursuing a course or programme of study and the other terms and conditions

(ii) The percentage of tuition fees and other charges refundable to a student admitted in such institution in case such student withdraws from such institution before or after completion of course or programme of study within and the manner in which such refund shall be made to that student

(iii) All information to be contained in the prospectus is required to be published on the website of the institution and attention of prospective students and public shall be drawn to the information on the website through advertisements displayed prominently in newspaper and other media.

The provisions of the Bill shall apply to all higher educational institutions including private unaided institutions as well.

As per the Supreme Court of India's direction in Islamic Academy & Ors Vs State of Karnataka & Ors (2003) and upheld in PA Inamdar & Ors Vs State of Maharashtra & Ors (2005) judgment, State level fee Committees have been constituted by the concerned State Governments to prescribe tuition and other fees to be charged by technical and professional higher educational institutions at under graduate and post graduate level and to regulate and oversee the implementation.

The UGC (Institutions Deemed to be Universities) Regulations, 2010 also contains provisions for regulating admission and fee in institutions deemed to be universities. Para 6.5 of these Regulations provides that, "The level of the fees charged for the courses offered in deemed to be universities shall have a reasonable relation to the cost of running the course. The fee structure shall be displayed in the prospectus and on the institution's website".

The UGC (Establishment of and Maintenance of Standards in Private Universities) Regulations, 2003 stipulate that the fixation of fees in Private Universities shall be in accordance with the norms/guidelines prescribed by the UGC and other concerned statutory bodies.

The Central Advisory Board of Education (CABE) in its meeting held on 07th June, 2011, shared concerns about adoption of unfair practices in schools and agreed to initiate a legislative proposal for prohibiting unfair practices, towards which end it constituted a CABE Committee, to formulate the draft legislation to prohibit unfair practices in school education sector. The Committee has formulated a draft legislation for inputs from stakeholders including the State Governments.